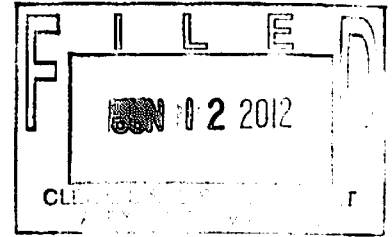


IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION



MEADWESTVACO
CORPORATION, *et al.*,

Plaintiffs,

v.

REXAM PLC, *et al.*,

Defendants.

CASE NO. 1:10-cv-511

ORDER

THIS MATTER is before the Court on Plaintiffs MeadWestvaco Corporation and MeadWestvaco Calmar, Inc.'s (collectively, "MWV") request for entry of a permanent injunction order against Defendant Valois of America, Inc. The Court has concluded that:

- (1) Defendant has directly infringed MWV's U.S. Patent Nos. 7, 718,132, that MWV has been irreparably harmed by such infringement, and that absent an injunction against future infringement, MWV will suffer further irreparable harm;
- (2) remedies available at law, such as monetary damages, are inadequate to compensate for that injury;
- (3) an injunction against Defendant will not materially harm Defendant, and in any event, considering the balance of hardships between MWV and Defendant, the balance tips decidedly in favor of an injunction;
- (4) the public interest does not weigh either in favor or against entry of a permanent injunction; and
- (5) a permanent injunction against Defendant is appropriate under 35 U.S.C. § 283.

It is hereby ORDERED that:

1. Defendant is permanently restrained and enjoined, pursuant to 35 U.S.C. § 283 and Fed.

R. Civ. P. 65(d), from:

- a. making, using, offering to sell, or selling within the United States, or importing into the United States (a) an invisible dip tube made of 100% EFEP RP-4020; (b) Defendant's Ultimate dip tubes; and (c) dip tubes having Defendant's internal model/part numbers 1003264 or 10052467 (invisible dip tubes described in this paragraph are referred to collectively as Defendant's "Ultimate dip tube");
- b. making, using, offering to sell, or selling within the United States, or importing into the United States any dispenser assembly or fragrance products incorporating an Ultimate dip tube;
- c. circulating, publishing or disseminating any literature or information that encourages the use, sale or importation within the United States of any of the Ultimate dip tube or otherwise encouraging others to infringe U.S. Patent Nos. 7,718,132, ("the '132 patent") or 7,722,819 ("the '819 patent"); and
- d. aiding and abetting, actively inducing, or in any way contributing to the making, use, sale, or importation within the United States of America any Ultimate dip tube, or otherwise inducing others to infringe the '132 and '819 patents. This injunction extends to the provision of any instruction, encouragement, implementation, or support for any product containing an Ultimate dip tube.

2. Valois S.A.S. agrees, pursuant to this Order to refrain from offering to sell or selling pumps containing Ultimate dip tubes outside the United States to any customer whose fragrance product containing an Ultimate dip tube is sold or offered for sale in the United

States, unless Valois S.A.S. first receives a written certification from the purchaser of the pump having the Ultimate dip tube certifying that pumps having the Ultimate dip tube will not be imported into or sold in the United States whether by themselves or incorporated into a fragrance product. Valois S.A.S. shall maintain in its files copies of such certifications for a period of not less than five (5) years. Such certifications need not be shown to MWV without a demonstration of good cause by MWV based on evidence presented by MWV of product sales in the United States by a specific customer of fragrance products having the Ultimate dip tube.

3. Valois S.A.S. agrees, pursuant to this Order, that it shall cause to be included in any shipment of pumps containing the Ultimate dip tube the following Notice (or an accurate translation into the appropriate language):

This Product is Not for Sale in, Use in, or Importation into the United States.

Valois S.A.S. will endeavor to include such a Notice with all shipments of pumps occurring after April 12, 2012, with the exception of the following for which such a Notice will be included with all shipments of pumps occurring after October 12, 2012: Valois S.A.S.'s customers' brands that prior to April 12, 2012 purchased pumps containing Ultimate dip tubes, ordered pumps containing the Ultimate dip tube, or planned launches of products containing the Ultimate dip tube, that were intended to be used with fragrance products made, used, sold, or offered for sale in the United States or imported into the United States.

4. Defendant will advise any customers of pumps seeking to purchase a pump with the Ultimate dip tube that any pump containing the Ultimate dip tube is not available for sale or use in, or delivery to, the United States.

5. This Order and injunction shall not apply to any sales specifically authorized by MWV.
6. The injunction set forth in this Order shall remain in effect until the expiration of both the '132 and '819 Patents, the latest of which is to expire on September 17, 2026.
7. This Court retains jurisdiction to enforce any and all aspects of this Order.

The Clerk is directed to forward a copy of this Order to counsel of record.

ENTERED this 12th day of June, 2012.

Alexandria, Virginia

6/ 12/2012

_____/s/
Gerald Bruce Lee
United States District Judge